

REMARKS

Regarding the claims:

- Applicant has canceled 3 dependent claims and added 3 dependent claims, as such no fee under 37 C.F.R 1.16(h)(i) is required.
- Independent claim 1 has been amended to clarify Applicant's present invention;
- Independent claim 25 has been rewritten in independent form including all the limitations of the base claim (independent claim 25) and intervening claims including objected to dependent claim 28. Correspondingly dependent claim 28 has been canceled. Applicant contends rewritten independent claim 25 is allowable.
- Independent claim 29 has been rewritten in independent form including all the limitations of the base claim (independent claim 1) and intervening claims including objected to dependent claim 18. Applicant contends rewritten independent claim 29 is allowable.

Though not conceding to the Examiner's position, Applicant has amended independent claims 1, 25, and 29 to better clarify Applicant's present invention. Reconsideration and further examination of all claims is respectfully requested.

Support for Applicant's clarifications and amendments can be found throughout Applicant's specification with specific references, as necessary, noted in the remarks that follow.

OFFICE ACTION ITEMS 1 & 2

EXAMINER'S REJECTION(S) UNDER 35 USC § 102

The Examiner rejected claims 1-2,7-9,12-15,25-27,29, and 30 under 35 USC § 102(b) as being anticipated by Pugh 4,789,045 ('045).

Applicant contends that Applicant's present invention includes features and or advantages that are patentable, novel, and non-obvious in view of the art disclosed by the cited references. One such feature is how Applicant utilizes polyurea in the coating material.

Pugh teaches the use of a polyurethane coating (col 1 36-48). Polyurethane can be defined as the result of a chemical reaction between an isocyanate and a polyol. This is different then Applicant's coating. Applicant teaches the use of a polyurea coating. Polyurea can be defined as the result of a chemical reaction between an isocyanate and an amine. (see Applicant's specification in general and more specifically starting on page 19 line 24 through page 20 line 9, and page 30 lines 1-8). Applicant contends the cited references including Pugh individually or in combination do not teach or suggest Applicant's coating.

Applicant has clarified this feature in independent claim 1 as follows:

1. (Currently Amended) A lifting sling, said lifting sling comprising:

a plurality of core materials; and

a coating material, **said coating material comprising at least an isocyanate mixed with an amine forming polyurea**, said coating material is sprayed onto said plurality of core materials, the thickness of said coating material is regulated in a predetermined pattern to achieve desired operational properties of said lifting sling.

Regarding Pugh '045, Pugh independently or in combination with other cited references does not teach or suggest the use of Applicant's isocyanate mixed with an amine forming polyurea in a coating material for a lifting sling.

In view of Applicant's clarifications above and amendment(s) to independent claim 1 and the rewriting of independent claims 25 and 29, Applicant requests that the Examiner remove the rejection(s)/objection(s) and allow the claims.

OFFICE ACTION ITEM 3 & 4

EXAMINER'S REJECTION(S) UNDER 35 USC § 103

The Examiner rejected claims 3-6,10,11,16,25-27, and 30 under 35 USC § 103(a) as being unpatentable over Pugh 4,789,045 ('045). The Examiner suggests *'that it would have been obvious to those skilled in the art to provide a material selection, such as nylon, and the properties of the coating material on the Pugh's lifting sling to provide a reliable sling'* (Office Action page 3 item 5). Applicant respectfully disagrees.

Applicant contends that the operational properties exhibited by Applicant's coating material are largely unobtainable by polyurethane in general and as such by the polyurethane coated lifting sling taught or suggested by Pugh '045. Furthermore, Applicant contends that the isocyanate mixed with an amine forming polyurea coating material as taught by Applicant and as recited in amended independent claim 1 offers Applicant's lifting sling a superior operational performance advantage in view of the art disclosed by the cited references including Pugh individually and or in combination.

As an example, some of Applicant's lifting sling operational properties include a Shore 'A' hardness in the range of 45-90 and more preferably in the range of 75-90,

tensile strength in the range of 1,200-6,500 pounds per square inch (psi) and more preferably in the range of 1,500-2,800psi, elongation in the range of 50-300 percent (%) and more preferably in the range of 100-160%, tear resistance in the range of 200-600 pounds per linear inch (pli) and more preferably in the range of 250-500pli, and the coating remains flexible in the temperature range of -40 to 160 degrees Celsius and can exhibit excellent high temperature properties that can approach 175 degrees Celsius. Furthermore the operational properties of Applicant's coating material can be tailored in a plurality of exemplary embodiments based in part on the thickness of the coating applied to the lifting sling core materials (see Applicant's specification in general and more specifically page 24 lines 1-20).

In view of Applicant's clarifications above and amendment(s) to independent claim 1 and the rewriting of independent claims 25 and 29, Applicant requests that the Examiner remove the rejection(s)/objection(s) and allow the claims.

OFFICE ACTION ITEM 5

ALLOWABLE SUBJECT MATTER

The Examiner notes that dependent claims 17, 18, and 28 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Independent claim 25 has been rewritten in independent form including all the limitations of the base claim (independent claim 25) and intervening claims including objected to dependent claim 28. Correspondingly dependent claim 28 has been canceled. Applicant contends rewritten independent claim 25 is allowable.

Independent claim 29 has been rewritten in independent form including all the limitations of the base claim (independent claim 1) and intervening claims including objected to dependent claim 18. Applicant contends rewritten independent claim 29 is allowable.

CONCLUSION

Applicant contends that in view of the aforementioned amendments and clarifications, amended independent claim 1 and rewritten independent claims 25 and 29 are patentable, novel, and non-obvious in view of the art disclosed by the cited references and request that the Examiner remove the rejection(s) and allow the claims.

With respect to the dependent claims, Applicant contends with amendments to amended/rewritten independent claims 1, 25 and 29 from which the dependent claims depend, and Applicant's clarifications, that the dependent claims include patentable, novel, and non-obvious features in view of the art disclosed by the cited references, and are allowable as ultimately depending on an allowable claim. Applicant requests that the Examiner remove the rejection(s) and or objection(s) and allow the dependent claims.

Applicant respectfully requests reconsideration and further examination of all claims. Applicant submits that in view of the amendments and remarks set forth above, this application is in condition for allowance and requests early notification to this effect.

Respectfully Submitted,



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September 25, 2006

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